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Attorneys for Defendants
 COUNTY OF SANTA CLARA, KENNETH
 BORELLI, LAWRENCE GALLEGOS,
 EPIFANIO REYNA, and TANYA BEYERS

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 (San Jose)

UNITED STATES OF AMERICA,
 ex. rel. DONNA M McLEAN et al.,

Plaintiffs,

v.

THE COUNTY OF SANTA CLARA, a
 municipality et al.,

Defendants.

No. C05-01962 HRL

**STIPULATION AND ~~PROPOSED~~ ORDER
 TO MODIFY SCHEDULING ORDER;
 DECLARATION OF STEVE SCHMID IN
 SUPPORT THEREOF**

MODIFIED BY THE COURT

Pursuant to the Court's April 2, 2010 Order (Docket No. 307), hearing on the parties cross-motions for summary judgment is scheduled for June 8, 2010. The April 2, 2010 order specified a briefing schedule set "in accordance with a normal 35-day calendar under Civil Local Rule 7." Therefore, opposition briefs are due on May 18, 2010 and reply briefs are due on May 25, 2010.

Due to the factual complexity of Relator's Motion for Partial Summary Judgment, Defendants will require additional time to file their opposition. Relator has agreed to a modification of the April 2, 2010 Order with the Court's permission. Therefore, the parties hereby submit the following stipulation and order to modify the current scheduling order as

Stipulation and Proposed Order to Modify
 Scheduling Order; Declaration of Steve
 Schmid in Support Thereof

follows:

	<u>Current</u>	<u>Proposed</u>
Hearing Date for both cross-motions	June 8, 2010	August 3, 2010
Oppositions due for both cross-motions	May 18, 2010	June 22, 2010
Replies due for both cross-motions	May 25, 2010	July 20, 2010

This Stipulation and Proposed Order is accompanied by the Declaration of Steve Schmid attached hereto.

I hereby attest that I have on file all holographic signatures for any signatures indicated by “conformed” signature (/S/) within this efiled document.

IT IS SO STIPULATED.

Respectfully Submitted,

MIGUEL MÁRQUEZ
Acting County Counsel

Dated: April 27, 2010

By: /S/
STEVE SCHMID
Deputy County Counsel

Attorneys for Defendants
COUNTY OF SANTA CLARA,
KENNETH BORELLI, LAWRENCE
GALLEGOS, EPIFANIO REYNA, and
TANYA BEYERS

LAW OFFICE OF JEREMY L.
FRIEDMAN TIERNEY, WATSON &
HEALY

Dated: April 27, 2010

By: /S/ Jeremy L. Friedman
JEREMY FRIEDMAN

Attorneys for Relator
DONNA McLEAN

**DECLARATION OF STEVE SCHMID IN SUPPORT OF STIPULATION
AND PROPOSED ORDER TO MODIFY SCHEDULING ORDER**

I, Steve Schmid, declare as follows:

1. I am employed as a Deputy County Counsel for the County of Santa Clara and am duly licensed to practice law before this Court and all California courts. I am one of the attorneys of record for the County of Santa Clara Defendants.

2. Relator's motion for partial summary judgment is voluminous and data-intensive. It will require more time to efficiently and completely respond to the factual portion of the motion than can be accomplished under the current briefing schedule.

3. This request for an order to modify the scheduling order is made jointly pursuant to stipulation. Counsel for Relator and Santa Clara County Defendants have met and conferred regarding the proposed modified schedule.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 27th day of April, 2010 at San Jose, California.

/S/
STEVE SCHMID

ORDER

The Court has considered the stipulation to modify the scheduling order information specified in the April 2, 2010 Order and makes the following ~~modification~~ ^{modification} ~~order pursuant~~ to the stipulation:

	<u>Current</u>	<u>Proposed</u>
Hearing Date for both cross-motions	June 8, 2010	August ²⁴ 3 2010 10:00 AM
Oppositions due for both cross-motions	May 18, 2010	June 22, 2010
Replies due for both cross-motions	May 25, 2010	July 20, 2010

IT IS SO ORDERED.

Dated: April 28, 2010


 JUDGE HOWARD K. LLOYD
 UNITED STATES MAGISTRATE JUDGE

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